

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

May 3, 2004

PRESENT: Tom Cowan, Chair
Mark Decker
Terry Janicz
Don Hoefler
Andy Kelkenberg
Rebecca Baker, Zoning Officer
Christine Falkowski, Planning Board Clerk

The meeting was called to order by Tom Cowan at 7:30 PM.

OLD BUSINESS

Fence/Wall Ordinance

“Fence” is not defined in our ordinance. We need a definition, and “wall” should be left out of it. It was agreed the ordinance should say no fence in the ROW, but can be right up to it. It should also say no sight line hazard will be allowed, and that approval can be at the discretion of the Zoning Officer. Tom and Becky will draft standards for the Planning Board to recommend to the Town Board.

Sign Ordinance

Don will measure and re-check size parameters in the draft ordinance. We have not received feedback from Nathan relative to Duane Root’s and the Judges’ opinion about lowering penalties for ease of use.

Route 5 /Overlay Zone/Moratorium on Used Auto Dealers/Design Criteria

Tom summarized the meeting of the Steering Committee held on April 22nd. Tom asked the Board to have prepared comments on the April 16th draft of the Route 5 Overlay District ready for our next meeting.

Minutes Review - Tom motioned to approve the minutes of April 19, 2004, seconded by Mark and all approved.

T-Mobile Cell Tower – Buell Street

The public hearing will be held on Monday, May 24th. Mark thought cell towers were supposed to provide a back-up power source (generators) for power outages in the community. Tom asked if the Planning Board wanted to review the conditions for the special permit. The answer was no.

Flaglots/Open Development

Andy feels that flaglots are not a good idea, as they will not maintain the rural character of the Town (one house/one drive). Would road frontage matter if two or three homes were stacked? Tom asked the Board to review again the sample ordinances they were given. Tom stated he would consult with Wendel.

NEW BUSINESS

Minor Subdivision Application – Maple Road – Pannella

Stefan Pannella and Aaron Handzlik were present. Mr. Pannella is splitting off a 22.8-acre parcel from 85.9-acres. The survey and elevations were reviewed, and a full EAF was filed. Andy motioned to approve the minor subdivision, seconded by Terry and all approved.

Used Auto Dealer - 13428 Main Road

Rick Urbanski and his partner would like to open a motor vehicle repair shop to maintain and inspect the vehicles they sell. They requested a letter to the DMV from the Zoning Officer authorizing them to open this repair shop in Newstead. (They are grandfathered to the special use permit ordinance). Due to the moratorium for commercial development on Route 5, would this be considered an expansion of an existing business? They are not building anything; therefore, new design standards would not be an issue. How will the proposed overlay zone affect them? They will add a “repair shop” sign, but will they need two separate licenses from DMV? They will be asked to attend the May 17th meeting.

Craig Kelkenberg request for exemption from subdivision for split

Craig owns 54 acres on Utley Road. He would like to split off 10 acres, and he cited section 79-6(A) of our Code which states, “The following shall not be considered “subdivisions” within the meaning of this chapter if no streets are created: (A). Division of land found by the Planning Board to be for agricultural purposes where all resulting parcels are ten (10) acres or larger in size”. Will he be exempt from subdivision approval? Does he have proof that it is being farmed? Craig will be asked to bring his survey to the May 17th meeting.

Next meeting: Monday, May 17, 2004

Don motioned to adjourn the meeting at 9:20 PM, seconded by Terry and all approved.

Respectfully submitted, Christine Falkowski, Recording Secretary